

**CARLOS M. RAMIREZ**  
MAYOR

**MONICA D. CUNNINGHAM**  
CHIEF ADMINISTRATIVE OFFICER

**ESTRELLA ESCOBAR**  
EXECUTIVE ASSISTANT TO THE MAYOR

**MARK THREADGILL**  
EXECUTIVE ASSISTANT TO THE MAYOR



**CITY COUNCIL**

**JAN SUMRALL**  
DISTRICT NO. 1

**ROSE RODRIGUEZ**  
DISTRICT NO. 2

**LARRY M. MEDINA**  
DISTRICT NO. 3

**JOHN COOK**  
DISTRICT NO. 4

**PRESI ORTEGA, JR.**  
DISTRICT NO. 5

**PAUL JOSEPH ESCOBAR**  
DISTRICT NO. 6

**LUIS G. SARIÑANA**  
DISTRICT NO. 7

**ELVIA G. HERNANDEZ**  
DISTRICT NO. 8

**REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
JANUARY 23, 2001  
9:00 A.M.**

The City Council met in regular session at the above place and date. Mayor Carlos M. Ramirez present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Presi Ortega, Jr., Paul Joseph Escobar, Luis G. Sariñana and Elvia G. Hernandez. Absent: None. Meeting was called to order and the invocation was given by Pastor Carl Parsons, Eastwood Church of Christ, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

.....  
Motion made by Representative Ortega, seconded by Representative Hernandez, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).  
.....

\*Motion made, seconded and unanimously carried to approve the Minutes for Regular City Council Meeting of January 2, 2001.  
.....

**\*RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the FY 2001 Discovery Series to be held at the Chamizal National Memorial, as recommended by the Arts Resources Department Advisory Board.

1. Gardner Arts Network for Margie Gillis; one performance on February 17, 2001; cost of \$8,000.
  2. MG Talent Agency, Inc. for Pilobolus Too; one performance on March 17, 2001; cost of \$10,000.00.
  3. Gardner Arts Network for Monte Brown Dance Company, one performance on March 24, 2001; \$12,000.00.
- .....

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute and file a renewal grant application with the Corporation for National Service for the Retired and Senior Volunteer Program, on behalf of the City of El Paso, in the amount of \$95,175 Federal, \$75,400 City, \$17,412 County and \$27,972 State, for a total of \$215,959, and

That Deborah G. Hamlyn, Director, Community and Human Development, be authorized to furnish such additional information as the Corporation for National Service may require in connection with the grant application for this program; and

That the Mayor be authorized to execute, on behalf of the City of El Paso, any agreements for the above amount, or for a greater or lesser amount, and any amendments to the initial Grant Agreement which increases, decreases, or deobligates Program funds, provided that no additional City funds are required, upon approval by the Corporation for National Service for aid in financing this program.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Fourteen Thousand Five Hundred and No/100ths Dollars (\$14,500.00 - \$7,170.00 loan/\$7,330.00 grant) against the following described real property:

The East 8 1/3 feet of Lot 12, and all of Lot 13, Block 42, Franklin Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 1520 Wyoming, El Paso, Texas 79902

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seven Thousand Three Hundred Fifty and No/100ths Dollars (\$7,350.00 - \$6,850.00 loan/\$500.00 grant) against the following described real property:

Lot 10, Block 3, Loma Terrace, Unit 6, Replat, an Addition to the City of El Paso, El Paso County, Texas, according to the map and plat thereof on file in Volume 27, Page 52, Plat Records of El Paso County, Texas; also known and numbered as 1008 Mallett, El Paso, Texas 79907

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Ten Thousand Eight Hundred and No/100ths Dollars (\$10,800.00 - \$10,025 loan/\$775 grant) against the following described real property:

Lot 1, Block A, Hervey Place No. 2 Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 3, Page 14, Plat Records of El Paso County, Texas; also known and numbered as 7801 La Grange, El Paso, Texas

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller be authorized to issue a refund check resulting from an overpayment on the Community Development Rehabilitation loan in the amount of Two and 92/100ths Dollars (\$2.92).

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seven Thousand Five Hundred Fifty and No/100ths Dollars (\$7,550.00 - \$5,000 loan/\$2,550 grant) against the following described real property:

The south 62 feet of Lots 3 and 4, Block P-2, Garden Subdivision to the East El Paso Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 11, Page 39, Plat Records of El Paso County Texas; also known and numbered as 2903 Central, El Paso, Texas

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller be authorized to issue a refund check resulting from an overpayment on the Community Development Rehabilitation loan in the amount of Ninety Two and 20/100ths Dollars (\$92.20).

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien in the amount of Six Thousand Six Hundred and No/100ths Dollars (\$6,600.00 - \$5,850 loan/\$750 grant) whereby the City releases its lien against the following described real property:

South 160.9 feet of Lot 23, and the South 160.9 feet of the West 20 feet of Lot 24, Block 3, Lafayette Place, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 13, Page 38, Plat Records of El Paso County, Texas; also known and numbered as 636½ Mauer, El Paso, Texas

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor on behalf of the City and the City Clerk, be authorized to sign a Release of Lien in the amount of Thirteen Thousand Eight Hundred Fifty and No/100ths Dollars (\$13,850.00 - \$10,075.00 loan/\$3,775.00 grant) whereby the City releases its lien against the following described real property:

Lots 30 and 31, Block 2, Summit Place Addition, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 3014 Monroe Ave., El Paso, Texas

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller be authorized to issue a refund check resulting from an overpayment on the Community Development Rehabilitation loan in the amount of One Hundred Twenty Nine and 21/100ths Dollars (\$129.21).

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a First Amendment to a Consulting Services Agreement for Safety Engineering Services by and between the CITY OF EL PASO and Paschold & Associates Safety Consultants, Inc., for a period of one year for an amount not to exceed \$70,000.00.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these sanitation liens for :

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
1624 Ladrillo Place	\$ 56.23	\$ 24.23	\$ 80.46
1624 Ladrillo Place	\$131.83	\$ 92.42	\$224.25
1624 Ladrillo Place	\$390.78	\$139.96	\$530.74
1624 Ladrillo Place	\$238.15	\$ 48.17	\$286.32

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is authorized to sign an Agreement to Provide Professional Consulting Services between the City and Norman Gordon of Diamond Rash Gordon & Jackson, PC, in connection with the El Paso Electric Company Petition to the Public Utility Commission of Texas to Increase Fuel Factor and for Fuel Surcharge.

Representative Sariñana inquired if Mr. Norman Gordon would be handling the PUC request. He asked if the original contract had expired.

Mr. Charlie McNabb, City Attorney, responded yes. Mr. McNabb explained the City contracts for the employment of the law firm.

Mayor Carlos M. Ramirez began discussing the price of natural gas and the demand for more energy. He gave further explanation. He added the City of El Paso is on top of all the utilities regarding the Regulatory Commission, etc. He read from a letter from the Public Utilities Commission.

Representative Sariñana asked the utility companies to explain the higher prices. Mayor Ramirez read further statements from the PUC letter. He added comments. Representative Hernandez stated it is the responsibility of elected officials to assist the public in their understanding of the utility's prices. She invited other Council Members to ask the utility representatives to their community meetings. Representative Sumrall stated her concerns regarding the Electric Company. She inquired if El Paso would be subsidizing other cities or is El Paso only paying for itself. Also, is the Electric Company selling Palo Verde electricity to California. She reiterated we all deserve answers to our questions.

Mr. Chuy de la O, citizen, made remarks.  
Representative Hernandez responded to those remarks.

Representative Medina asked individuals to make their comments on verifiable fact, not speculation. Representative Escobar agreed with comments made by Representative Medina. Representative Ortega made remarks regarding gasoline prices. He stated the reason the items were on the agenda today is due to El Paso Electric Company filed a petition to increase the fuel factor on January 8. He stated Council Members are intervening with what the El Paso Electric Company is trying to do. He added the possibility of a public forum just to discuss electric rates. Representative Sariñana responded to comments made by Representative Ortega.

Representative Cook discussed the current problems in California. He further discussed the percentages of energy and from where this energy comes from.

Representative Sumrall asked since the City of El Paso is the primary partner with El Paso Electric Company, why would the City not be given the opportunity to use the nuclear fuel rather than gas fire.

Mayor Ramirez responded to Representative Sumrall's questions.

Former Mayor Larry Francis spoke. He made comments regarding the reorganization of the El Paso Electric Company which took place while he was Mayor. He added the City became partners with El Paso Electric Company so that the Electric Company would not go bankrupt. He made additional comments.

Mayor Ramirez responded to Mr. Francis' comments.

Mr. Francis stated the issue was a moral responsibility regarding the bad business decisions.

Mayor Ramirez responded there was no new construction due to environmentalists, etc. Representative Medina commented.

Mr. Jim Haines, El Paso Electric Company representative, distributed information to the Council Members. He discussed this information in detail.

Representative Cook questioned some items. Representative Ortega asked questions regarding the Maquilas in Juarez and the El Paso Electric Company. He asked questions regarding gas rebates.

Mr. Haines elaborated.

Representative Ortega inquired as to how many megawatts the American National Power plant would produce.

Mr. Haines responded.

Mr. Richard Fleager, Regional Vice President, Southern Union Gas Company, commented on the higher gas prices. He stated Southern Union Gas has opened two new customer service centers located at: 1830 George Dieter and 4700 Pollard. These centers are available to customers to assist with their questions on their gas bills.

Representative Hernandez thanked Mr. Fleager for coming to her community meeting and informing her constituents on the issue.

Mr. Ruben Ramirez, citizen, commented that this type of action occurred in December of 1997 regarding higher gas prices. He commented on Southern Union Gas Company's ability to purchase and store gas. He inquired as to who was making a profit regarding the higher gas prices.

Mayor Ramirez responded to Mr. Ramirez' concerns, stating what happened in 1997 is not what is occurring at this time.

Mr. Ramirez inquired as to the capabilities of the consultants the City has hired and if these individuals were doing their jobs appropriately.

Mayor Ramirez responded.

Mr. Roberto Macias, citizen, commented on "hedging".

Mr. Fleager responded to Mr. Macias' comments, stating this is not a "hedging" situation.

Mayor Ramirez summarized, commenting that the reason for the high gas prices has to do with supply and demand. The producers of natural gas are not producing more gas; therefore, when the demand is higher the prices go up.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

#### RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Attorney's Office is authorized to file a Motion to Intervene in Public Utility Commission of Texas proceeding styled El Paso Electric Company's Petition to Increase Fuel Factor and for Fuel Surcharge, SOAH Docket No. 473-01-1494, PUC Docket No. 23530.

Please see previous discussion beginning on page 4.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is authorized to sign an Agreement to Provide Professional Consulting Services between the City and GDS, Associates, Inc. in connection with the El Paso Electric Company Petition to the Public Utility Commission of Texas to Increase Fuel Factor and for Fuel Surcharge.

Please see above discussion beginning on page 4.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, all City Representatives, the Chief Administrative Officer, the Chief Financial Officer, and the attorneys representing the City including members of the City Attorney's Office and the members of the firm of Diamond Rash Gordon & Jackson, PC, and any other consultants retained by the City are authorized to sign a Protective Order Certification Form in order that they may review materials subject to a Protective Order in connection with their review of El Paso Electric Company's Petition to Increase Fuel Factor and for Fuel Surcharge, SOAH Docket No. 473-01-1494; PUC Docket No. 23530.

Please see above discussion on page 4.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign the Exhibit Contract with Fred M. Morales covering the exhibition, "Lincoln County, New Mexico," at the Clardy Fox Branch of the El Paso Public Library System for the month of February 2001.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement:

The Rescue Mission of El Paso

Sunset Heights Park

and that the Mayor be further authorized to sign additional documents and take additional action necessary to fulfill the purpose of this contract.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Vendor's Agreement between the CITY OF EL PASO, on behalf of the PARKS AND RECREATION DEPARTMENT, and YWCA - CHILD CARE MANAGEMENT SERVICE for daycare cost subsidies to eligible low income families at the daycare center located at the Judge Morris A. Galatzan Recreation Center, more particularly described as 650 Wallenberg, El Paso, Texas 79912.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Vendor's Agreement between the CITY OF EL PASO, on behalf of the PARKS AND RECREATION DEPARTMENT, and YWCA - CHILD CARE MANAGEMENT SERVICE for daycare cost subsidies to eligible low income families at the daycare center located at the Northeast Recreation Center, more particularly described as 5301 Salem, El Paso, Texas 79924.

Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to accept on behalf of the City of El Paso, \$5,000 (five thousand dollars) from the Parks & Recreation Foundation, donated by the Gannett Corporation for the purpose of being a co-sponsor of the FY 2001 Midnight Basketball League.

Mr. Charles Nutter, Director of Parks & Recreation, gave background information regarding the Midnight Basketball League.

Representative Hernandez stated this is a very good program as it helps keep the kids off the streets.

Mr. Jim Welshimer, President of the Parks & Recreation Foundation, presented Council Members with a check in the amount of \$5,000.00 donated by the Gannett Corporation. Mr. Welshimer stated to date, the Gannett Corporation has donated \$20,000.00 to the Midnight Basketball League.

Representative Sumrall stated the Gannett Corporation is a wonderful corporate citizen.

Motion made by Representative Sumrall, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the City of El Paso and Carlos Macias for the Arts Resources Department at the rate of \$8.10 hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator. The contract period is from January 24, 2001 through January 23, 2002.



\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and Robert Levario to sort library materials by type, shelve books, magazines, audio-visual materials, assist in processing new library materials as well as discarded items at the Ysleta Branch of the El Paso Public Library.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Employee Contracts between the City of El Paso and the following employees to provide services as Paratransit Coach Operators for Sun Metro at the biweekly rate of \$825.60 for 40 hours per week. These contracts are subject to the approval of the City's Civil Service Commission.

1. Javier Garcia
2. Gustavo Garcia
3. Luis Gutierrez
4. Marco Antonio Mejia-Martinez
5. Martin Pastran
6. Armando Rodriguez

\*Motion made, seconded and carried that the following First Time Home Buyers applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

- |    |   |   |
|----|---|---|
| A. | 01-01-FTHB/HLG-0438<br>Interest 0%<br>3631 McKinley Avenue (30) | Loan: \$10,000.00<br>Grant: \$10,000.00<br>Term: 360 months |
| B. | 01-01-FTHB/HL-0439<br>Interest 0%<br>5118 Wally Drive (24)      | Loan: \$20,000.00<br>Term: 357 months                       |

\*Motion made, seconded and carried that the following Housing Rehabilitation applications be approved in the amounts shown below as recommended by the Director of Community and Human Development and that the City Comptroller be authorized to issue checks in the amounts shown below for the approved applications.

- |    |  |   |
|----|--|---|
| A. | 00-12-OL/OG/EC/MP-0038<br>Interest at 0%<br>836 Bergerac Lane (07) | Loan: \$49,402.00<br>Grant: \$ 7,598.00<br>Total: \$57,000.00 |
| B. | H00-12-OL/OG/EC-1501<br>Interest at 0%<br>4000 La Luz (03)         | Loan: \$10,788.00<br>Grant: \$16,312.00<br>Total: \$27,100.00 |

\*Motion made, seconded and unanimously carried to approve the requests for provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A.** Automotive Technician III, Equipment Maintenance (1 position)  
**B.** Collection Data System Coordinator, Tax Department (1 position)  
**C.** Tire Repairer, Equipment Maintenance (1 position)

\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Engineering Department

Delete	.50	Engineering Technician III
Delete	.50	Engineering Technician III
Add	1.0	Engineering Technician III

\*Motion made, seconded and unanimously carried to approve the Staffing Table Change for Solid Waste Management

Add	1	Vehicle & Equipment Supervisor
-----	---	--------------------------------

\*Motion made, seconded and unanimously carried to approve the request from Roberto Melendez, of the Solid Waste Management Department for Special Sick Leave.

\*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

Behind 3401 Douglas at alley off Luna Street (Cost \$464.00)

\*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

Between 1225 and 1301 Clausen Drive (Cost \$899.00)

\*Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign the payment agreements on behalf of the City:

- A.** PID #V893-999-2630-2300, \$739.63 per month installments on a balance of \$8,259.39 for 1999 taxes; Luis A. & Alejandra A. Gamillo - 1656 Billy Casper Dr.
- B.** PID #M785-000-0010-0200, \$199.36 per month installments on a balance of \$2,461.80 for 1994, 1995, 1996, 1997, 1998 and 1999 taxes; Gloria Lares - 13850 Blindweed St.

\*Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Timothy R. Mang & Kristin R. Martindale in the amount of \$591.03, overpayment of 1999 taxes. (PID #E054-999-0220-0900)**
- B. Cendant Mortgage in the amount of \$1,672.33, overpayment of 1998 taxes. (PID G686-999-1030-9700)**

- C. Ernesto L. Guillen in the amount of \$1,257.96, overpayment of 1999 taxes.  
(PID #R200-999-0090-0500)
- D. Lawyers Title of El Paso in the amount of \$5,964.18, overpayment of 2000 taxes.  
(PID #T213-999-0130-4900)
- E. Transamerica RET in the amount of \$1,397.66, overpayment of 1999 taxes.  
(PID #V893-999-1750-4700)
- F. Ocwen Federal Bank in the amount of \$1,203.73, overpayment of 1999 taxes.  
(PID #V893-999-4190-2400)
- G. Victor H. Garcia in the amount of \$1,219.19, overpayment of 2000 taxes.  
(PID #V927-999-0390-3900)

.....  
 \*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend Contract No. 1999-99-121 between the City of El Paso and R.T.C., Inc. for the 450 MHz Conventional Repeater System Maintenance Service, for Fixed and Subscriber Equipment, for various City departments, for one (1) additional year starting March 31, 2001 and ending March 30, 2002. This is the second year of the first two (2) year option under the same unit price, terms and conditions. An option exists for two (2) additional years (one year at a time) with the City allowing a price increase no greater than the CPI Index for that year.

Department: Communications  
 Funds Available: Various  
 Funding Source: Various  
 Amount: \$63,498.00 Annual Estimate

.....  
 \*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to issue a Purchase Order to Professional Document Systems in the amount of \$40,590.75. Professional Document Systems is the local representative of OTG Software. OTG Software is the developer of the Optical System Software and Maintenance of the hardware. Additionally, it is requested that Mayor be authorized to sign any additional document, contract, and/or agreements.

Department: Information Services  
 Funds Available: 010039-202229  
 Funding Source: General Fund  
 Award Amount: \$40,590.75

.....  
 \*Motion made, seconded and unanimously carried to delete Bid No. 2001-012 Automotive Parts Price List- Alternators & Starters

Award To: Vendor: (1) Main Auto Parts  
 El Paso, Texas  
 Item: PART A: All  
 Amount: \$25,000.00 (estimated yearly)

Award To: Vendor: (2) BXW Electrical Rebuilders  
 El Paso, Texas  
 Item: PART B: All

Amount: \$25,000.00 (estimated yearly)  
Department: Equipment Maintenance  
Funds available: 203121-203125  
Funding source: Equipment Maintenance Internal Service Fund  
Total amount: \$50,000.00

Purchasing and Equipment Maintenance Departments recommend awards as indicated, to the lowest responsive [by definition, meeting specifications] offers, from responsible offerors.

Vendor #1 offers the City a prompt payment discount of 2%20 days. Award amount with discount: \$24,500.00.

Vendor #2 offers the City a prompt payment discount of 2%10 days. Award amount with discount: \$24,500.00.

This a Requirements Type Contract with an initial term of twenty-four (24) months.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-052 Janitorial Services for the Friendly and Happiness Nutrition Centers

Representative Hernandez asked if this was the first time the City has used this Company before. She also questioned how long this contract was for.

Mr. Byron Johnson, Director of Purchasing, responded no they have other contracts and the contract was good for three years (36 months).

Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to approve Bid No. 2001-052 Janitorial Services for the Friendly and Happiness Nutrition Centers

Awarded To: Maheir Janitorial Services  
El Paso, Texas  
Items: 1 and 2  
Total Award: \$12,778.56 (annual estimate)  
  
Department: Public Works - Maintenance Division  
Funds Available: 010326-202206  
Funding Source: General Fund  
Total Award: \$12,778.56 (annual estimate)

The Purchasing Department and Public Works Department recommend award as indicated. Maheir Janitorial Services is the lowest, responsive and responsible bidder.

This is a thirty-six (36) month contract with no options to renew the contract.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2001-055 Janitorial Services for Memorial Senior Center and Judge Moore Galatzan (Westside) Recreation Center

Motion made by Representative Medina, seconded by Representative Sumrall and unanimously carried to approve Bid No. 2001-055 Janitorial Services for Memorial Senior Center and Judge Moore Galatzan (Westside) Recreation Center

Award to: Maheir Janitorial Services  
 El Paso, Texas  
 Item(s): 1 and 2  
 Amount: \$26,637.24 (annual estimate)  
 (\$26,104.48 after discount - savings of \$532.76 per year)

Department: Parks and Recreation  
 Funds Available: 010256-202206  
 Funding Source: General Fund  
 Award: \$26,637.24 (annual estimate)

The Purchasing and Parks & Recreation Departments recommend award as indicated. Maheir Janitorial Services is the lowest, responsive and responsible bidder.

This is a thirty-six (36) month contract with no options to renew the contract.

.....  
 \*Motion made, seconded and unanimously carried to award Bid No. 2001-067 Compressed Air Foam System

Award To: First In, Inc.  
 El Paso, TX  
 Item: 1  
 Amount: \$37,500.00

Department: Fire  
 Funds available: 150069-208029-7126CD-0028  
 Funding source: Community Development Grant  
 Total amount: \$37,500.00

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase one (1) Compressed Air Foam System to be installed on a Fire Pumper.

There is no option to purchase additional quantities. No prompt payment discount is offered.

.....  
 \*Motion made, seconded and unanimously carried to approve budget transfer BT201-216 AIRPORT

To set up funding for the expansion of the Long Term Parking Lot.

Increase	\$100,000	to	620027/AP0011/208027	Contingency CWIP
Increase	\$250	to	620027/AP0011/202205	Legal Notices
Increase	\$500	to	620027/AP0011/202302	Print Shop Charge
Increase	\$250	to	620027/AP0011/203304	Mail Room Chgs
Increase	\$101,000	to	620027/AP0011/107001	Intrafund Trnfr-In
Increase	\$101,000	to	620018/500002/107002	Estimated Rev
Increase	\$101,000	to	620018/500002/207001	Intrafund Trnfr-Out

.....

\*Motion made, seconded and unanimously carried to approve budget transfer BT201-219 ARTS RESOURCES

Budget transfer necessary to establish separate accounts for donations received on behalf of YISD and EPISD for the "Arts in Education" program. Funds in these accounts will be used to pay for artist performances for each respective school district only.

Increase	\$4,500	to	150003/550110/105060	Donations
Increase	\$4,500	to	150003/550110/202102	Artistic Perf
Increase	\$3,000	to	150003/550111/105060	Donations
Increase	\$3,000	to	150003/550111/202102	Artistic Perf

.....  
\*Motion made, seconded and unanimously carried to approve the request of Inter-Club Council of El Paso to hold a parade on February 10, 2001 from 9:00 a.m. to 12:00 p.m. Route: Start at Pershing and Montana, proceed easterly to Copia, south on Copia to Missouri, west on Missouri to Luna (Missouri Recreation Center and Mary Webb Park) for disbanding. Approximately 150 persons, 40 automobiles, 6 animals, 1 or more floats will take part, and 300 spectators are anticipated. Permit No. 01-001

.....  
\*Motion made, seconded and unanimously carried to approve the request of Inter-Club Council of El Paso to use amplification (1 microphone, 1 amplifier, 2 speakers) at Mary Webb Park on February 10, 2001 from 12:00 p.m. to 4:00 p.m. Approximately 150 persons will participate and 300 spectators are anticipated. Permit No. 01-002

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the request of the YWCA to hold 5k and ½ Maraton on February 18, 2001.

The route change was discussed as recommended by the Police Department to start at the parking lot and proceed to Gregory, Stanton to Rim and then continue original route.

Motion made by Representative Sumrall, seconded by Representative Hernandez and unanimously carried to approve, as revised, the request of YWCA to hold 5k and ½ marathon run/walk on February 18, 2001 from 8:00 a.m. to 11:00 a.m. ½ Marathon Route: Start at 3333 N. Mesa parking lot to Gregory, right on Stanton, Stanton to Rim Road, left on Rim Road to Scenic Drive, left on Louisiana, right on Altura, right on Marr, left on Hastings which becomes Timberwolf, left on Magruder, right on Hughey, right on Geronimo, left on Edgemere, right on Juniper, left on W.H. Burgess, left on Glengarry, right on Backus, left on Daugherty, right on Desert Ridge, left on Desert Hills, right on Mcrae, left on Acer, right on Fir, left on Springwood, right on Bois D'Arc, right on Caper. 5k Run/Walk Route: Start at Caper, left on Bois D'Arc, right on Fir, left on Acer, right on Mcrae, left on Desert Hills, turnaround right on Mcrae, left on Acer, right on Fir, left on Springwood, right on Bois D'Arc, right on Caper. Approximately 1,000 persons and 1 automobile will take part, and 200 spectators are anticipated. This request includes permission to use amplification (small P.A. system). Permit No. 01-003

.....  
**RESOLUTION CANVASSING RETURNS  
OF THE 2001 CITY CHARTER AMENDMENT  
ELECTION AND DECLARING ADOPTION OF  
AMENDMENTS TO CITY CHARTER**

THE STATE OF TEXAS     )  
  )  
COUNTY OF EL PASO     )

WHEREAS, the City Council of the City of El Paso ordered an election to be held in said City on January 20, 2001, for the purpose of determining whether certain amendments to the City Charter should be adopted; and

WHEREAS, the election officers who held said election have duly made returns of the results thereof, and said returns have been duly delivered to said City Council;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council officially finds and determines that said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that due returns of the results of said election have been duly made and delivered, that the election returns have properly been made out and duly certified by the officers of said election in the different voting precincts of the City, and that the City Council has duly canvassed said returns, all in accordance with law and the ordinance calling said election.

2. (a) That the City Council officially finds and determines that the following votes were cast at said election for the following City Charter Amendments by the resident, qualified electors of said City, who voted at the election:

#### **AMENDMENT NO. 1**

**FOR: 5,383**

Shall Section 3.2 be amended to provide that the salary of the Mayor be increased to \$55,000 per annum and that the salary of the Representatives be increased to \$35,000 per annum beginning with the 2001 term of office and that the salaries will be increased in the future by any across-the-board increase granted to non-uniformed employees?

**AGAINST: 7,400**

Amending the Charter of the City of El Paso Section 3.2, Salaries, to read as follows:

Section 3.2 SALARIES. Upon the adoption of this Charter Amendment, the salaries of the Mayor and the Representatives shall be those authorized prior to the adoption of this Charter Amendment. Beginning with the terms of office commencing in 2001, the salary of the Mayor shall be increased to \$55,000, and the salary of Representatives shall be increased to \$35,000. Subsequently, the Mayor and Representatives shall receive any across-the-board percentage increase which may be granted from time to time to classified employees who are not members of collective bargaining units.

#### **AMENDMENT NO. 2**

**FOR: 8,431**

Shall Section 3.11 be amended to provide that the number of registered voters required to submit a petition for an initiative be changed from five percent of the registered voters to five percent of the registered voters who voted in the last general City election?

**AGAINST: 4,135**

Amending the Charter of the City of El Paso Section 3.11, Initiative, to read as follows:

Section 3.11 INITIATIVE. Whenever a number of registered voters equal to at least five percent of the voters who voted in the last general City election sign a petition setting forth the precise content of an ordinance desired by the signers, the Council must place that ordinance on the agenda of a Council meeting to be held within thirty working days of the receipt, by the City Clerk, of the petition bearing the authenticated names and addresses of the petitioners. Such an item shall be treated by the Council exactly as any other proposed ordinance.

Should an ordinance proposed by such petition not be enacted by the Council, or should it be enacted in an amended form, a second petition, signed by a number of registered voters equal to at least five percent of the voters who voted in the last general City election, may be submitted to the City Clerk and that official shall have twenty working days in which to authenticate the signatures and thereafter must place the re-proposed ordinance on the ballot at the next general election specified in State law, if the proposal received the favorable vote of a majority of those voting in that election it shall thereupon become a City ordinance.

The Council is not obliged to consider the same ordinance initiated by petition, or one that is substantially the same, more often than once in two years.

### **AMENDMENT NO. 3**

**FOR: 8,626**

Shall Section 6.13D be added and Sections 6.2-2D and 6.10-1B be deleted to provide that permanent City employees in the unclassified service who have been hired pursuant to federal grant or aid programs, and who have gained employment through competitive examination, be included in the classified service?

**AGAINST: 3,865**

Amending the Civil Service Charter to add Section 6.13D, Unclassified Grant Funded Positions, to read as follows:

Section 6.13D. UNCLASSIFIED GRANT FUNDED POSITIONS. As of July 1, 2001, all City employees in the unclassified service whose salaries are paid pursuant to any federal grant or aid program and who have gained current employment through examination shall be admitted into classified positions in the Civil Service without re-examination, additional probationary period, or loss of accrued leave. The seniority date for all such employees for purposes of layoff shall be the date of admission into the classified service.

Amending the Civil Service Charter to delete paragraph D of Section 6.2-2 Unclassified Services, and re-number the remaining categories, which reads as follows:

Section 6.2-2 UNCLASSIFIED SERVICES. The unclassified services shall include only the following positions:

- D. Employees hired after January 15, 1977, pursuant to any federal grant or aid program, who have been or may be placed in the unclassified service by the City Council;

Amending Section 6.10-1. CONDITIONS FOR LAYOFF, to delete paragraph B, and re-number the remaining category, which reads as follows:



Section 6.10-1. CONDITIONS FOR LAYOFF. Whenever it becomes necessary through lack of work or funds, or through the abolishment of a position or class, or for any other reason not involving delinquency on the part of the employee to reduce the number of employees in any class, the appointing authority may order a layoff. The reduction will be made in the following order:

B. Unclassified employees hired under 6.2-2D of this Charter;

#### **AMENDMENT NO. 4**

**FOR: 8,824** Shall Section 6.13C be added to provide that the City Sun Metro Lift employees, who are unclassified and currently under contract with the City, be admitted into the classified civil service?

**AGAINST: 3,716**

Amending the Civil Service Charter to add Section 6.13C, CITY SUN METRO LIFT EMPLOYEES, to read as follows:

Section 6.13C. CITY SUN METRO LIFT EMPLOYEES. As of July 1, 2001, all City Sun Metro Lift Employees, who are currently under contract with the City, will be admitted into the classified civil service, without examinations, probationary periods, or loss of accrued leave. The seniority date for all such employees, for purposes of layoff, shall be the date of admission into the classified service.

#### **AMENDMENT NO. 5**

**FOR: 8,300** Shall Section 6.10-8 be modified to provide that employees who have held a classified position for a period of six months, and who have successfully completed their respective probationary periods, be entitled to take accrued vacation with pay?

**AGAINST: 4,300**

Amending the Civil Service Charter to modify Section 6.10-8, VACATIONS to read as follows:

Section 6.10-8. VACATIONS. Those employees who have held a classified position for a period of six months, and who have successfully completed their respective probationary periods, will be entitled to take accrued vacation with pay as specified in the Rules. As an exception, Council may provide that persons entering classified service from positions in the unclassified service or other City funded positions may count such previous service in meeting the six-month period. Vacation entitlement accrued at the time of the adoption of this Article shall not be reduced.

#### **AMENDMENT NO. 6**

**FOR: 7,953** Shall Section 6.5-1 be modified to allow permanent part-time employees, working in the same classification and in the same department, to be certified to vacancies in that department ahead of employees, outside of the department, seeking promotion or lateral transfer, to those positions?

**AGAINST: 4,563**

Amending the Civil Service Charter to modify Section 6.5-1, ORDER OF CERTIFICATION to read as follows:

Section 6.5-1 ORDER OF CERTIFICATION. Upon receipt of a requisition from an appointing officer to fill a vacancy, the Personnel Director shall certify the names of qualified eligibles. Except as otherwise provided in this Article, that certification shall be in accordance with Section 6.5-2 and in the following order of certification of those persons who are:

- A. Incapacitated from performing their position, in accordance with Section 6.11-4 of the Charter, and as more fully set forth in the Rules;
- B. Separated, without fault or delinquency on their part, from positions in the same department in which a vacancy exists, excluding those who have resigned;
- C. Separated, without fault or delinquency on their part, excluding those who have resigned, and who are being reinstated to a position of the same job description as their former position, but not in the same department;
- D. On a reinstatement list and who were not formerly employed in the same department, excluding those who have resigned;
- E. On a transfer list;
- F. Permanent part-time employees who are applying for full-time vacancies, in the same classification and in the same department, ahead of employees, outside the department, seeking promotion or lateral transfer to those positions;
- G. On a promotion list;
- H. Working part-time in the same classification;
- I. On a reinstatement list as the result of resignation in good standing; and
- J. On an original entrance list.

#### **AMENDMENT NO. 7**

**FOR: 7,908**

Shall Section 6.5-1 be modified to allow permanent classified employees to apply for positions at or below their current pay grades, without a loss of pay or a loss of seniority for layoff purposes?

**AGAINST: 4,656**

Amending the Civil Service Charter to modify Section 6.5-1, ORDER OF CERTIFICATION, to read as follows:

Section 6.5-1 ORDER OF CERTIFICATION. Upon receipt of a requisition from an appointing officer to fill a vacancy, the Personnel Director shall certify the names of qualified eligibles. Except as otherwise provided in this Article, that certification shall be in accordance with Section 6.5-2 and in the following order of certification of those persons who are:

- A. Incapacitated from performing their position, in accordance with Section 6.11- 4 of the Charter, and as more fully set forth in the Rules;
- B. Separated, without fault or delinquency on their part, from positions in the same department in which a vacancy exists, excluding those who have resigned;

- C. Separated, without fault or delinquency on their part, excluding those who have resigned, and who are being reinstated to a position of the same job description as their former position, but not in the same department;
- D. On a reinstatement list and who were not formerly employed in the same department, excluding those who have resigned;
- E. On a transfer list;
- F. On a promotion list;
- G. Working part-time in the same classification;
- H. Permanent classified employees applying for positions at or below their current pay grades. These employees shall be paid in accordance with Ordinance 8064, will be subject to probationary periods, and their seniority, for layoff purposes, will not be affected.;
- I. On a reinstatement list as the result of resignation in good standing; and
- J. On an original entrance list.

### **AMENDMENT NO. 8**

**FOR: 8,952**      Shall Sections 6.5-2 and 6.5-3D be modified to expand the Rule of Three to the Rule of Five, and thereby allow for the consideration of the top five applicants when filling a vacancy from the proper eligible lists?

**AGAINST: 3,508**

Amending the Civil Service Charter to modify Section 6.5-2, RULE OF THREE, and Section 6.5-3D, WAIVER, to read as follows:

Section 6.5-2. RULE OF FIVE. Upon receipt of a requisition to fill a vacancy, the five highest names on the proper eligible list shall be certified for one vacancy, and one additional name (the next highest) for each additional vacancy shall be certified, except in cases where a certification for incapacity or a reinstatement from layoff is being made. In cases of certification for incapacity or reinstatement from layoff, the highest name only on such list shall be certified, in accordance with procedures set forth in the Rules.

In cases where there are fewer than five names on the proper eligible list, the Personnel Director may certify names from the next lower list(s) until five names are certified.

Regular appointment may be either full-time or part-time. Conditions regarding part-time may be further defined in the Rules.

In making certification from promotional lists, however, the Personnel Director, in accordance with the Rules, may direct that those persons serving in the department in which the vacancy exists, be certified in preference to persons on the same list serving in other departments, if it appears that this would improve the efficiency of the department.

#### Section 6.5-3. OTHER PROVISIONS.

D. Waiver. The Personnel Director will permit persons on eligible lists to waive certification, reinstatement or appointment five times.

## AMENDMENT NO. 9

**FOR: 11,054**

Shall Sections 6.5-3 be modified to allow Police, Fire, or EMS trainees, who are injured while in the course and scope of their employment, to be once placed back on the eligible list for the next academy scheduled within one year, without re-qualifying on the written examination but subject, however, to all other qualification requirements, including a requirement that the employee must have been in good standing at the time of his or her injury?

**AGAINST: 1,646**

Amending the Civil Service Charter to modify Section 6.5-3, OTHER PROVISIONS, by adding subsection E, Police, Fire, and Training Academy Temporary Employees, to read as follows:

### Section 6.5-3, OTHER PROVISIONS

E. Police, Fire, and Training Academy Temporary Employees. A temporary employee, assigned to a Police, Fire, or EMS training academy, who is unable to complete said training academy due to an injury sustained while in the course and scope of their employment, may once be placed back on the original entrance eligible list for an academy scheduled to begin within one year from the last day of the academy in which they were first enrolled, without re-qualifying on the written examination, but is subject, however, to all other qualification requirements, including a requirement that the employee must have been in good standing at the time of his or her injury.

## AMENDMENT NO. 10

**FOR: 7,917**

Shall Sections 6.9-1 and 6.5-1 be modified to allow permanent classified employees who fail probationary periods, in positions to which they have voluntarily promoted or transferred, to be placed in a vacant position for which they are qualified, at or below the pay-grade from which they promoted or transferred, and, if such position does not exist, the employee will be laid off and placed on a reinstatement list for their former position?

**AGAINST: 4,560**

Amending the Civil Service Charter to modify Section 6.9-1, PROBATION PERIOD, and Section 6.5-1, ORDER OF CERTIFICATION, to read as follows:

Section 6.9-1. PROBATION PERIOD. All persons certified from original or promotional eligible lists will be on probation for a period of six months of actual service. Permanent employees who fail to successfully complete probationary periods, for positions to which they promoted or transferred, shall be placed in a vacant position for which they are qualified, at or below the pay-grade from which they promoted or transferred. If such position does not exist, the employee will be laid off and placed on a reinstatement list for their former position.

Section 6.5-1 ORDER OF CERTIFICATION. Upon receipt of a requisition from an appointing officer to fill a vacancy, the Personnel Director shall certify the names of qualified eligibles. Except as otherwise provided in this Article, that certification shall be in accordance with Section 6.5-2 and in the following order of certification of those persons who are:

- A. Incapacitated from performing their position, in accordance with Section 6.11-4 of the Charter, and as more fully set forth in the Rules;
- B. Permanent employees who fail to successfully complete the probationary periods for positions to which they promoted or transferred;
- C. Separated, without fault or delinquency on their part, from positions in the same department in which a vacancy exists, excluding those who have resigned;
- D. Separated, without fault or delinquency on their part, excluding those who have resigned, and who are being reinstated to a position of the same job description as their former position, but not in the same department;
- E. On a reinstatement list and who were not formerly employed in the same department, excluding those who have resigned;
- F. On a transfer list;
- G. On a promotion list;
- H. Working part-time in the same classification;
- I. On a reinstatement list as the result of resignation in good standing, or as a result of a permanent employee's probationary period failure resulting in layoff; and
- J. On an original entrance list.

#### **AMENDMENT NO. 11**

**FOR: 8,912**

Shall Section 6.13-11, subsection D, be modified to allow the City to elect to pick up participant contributions to the Firemen and Policemen Pension Fund of El Paso pursuant to Section 414(h) of the Internal Revenue Code of 1986, as amended, and to identify the picked up contributions as employer contributions solely for tax treatment?

**AGAINST: 3,251**

Amending the Civil Service Charter to modify Section 6.13-11, subsection D, PENSION PLANS, to read as follows

**D. Firemen and Policemen Pension Fund of El Paso.** The City shall continue to augment the Firemen and Policemen Pension Fund of El Paso in a manner consistent with the laws of Texas. To augment the Firemen and Policemen Pension Fund, the Council shall in each fiscal year beginning after February, 1968, appropriate an amount equal to three times the amount paid into the fund by the participants therein; provided that the amount contributed by the City shall not exceed eighteen percent of the total amount expended for salaries of the participants; provided further, however, that in the event age limits for participation in the pension fund, or any division of the fund, are increased as permitted by law and the raising of the age limits causes an increase in funding costs as determined by an actuary, the City shall appropriate an amount equal to such cost increase notwithstanding that such increased appropriation may exceed eighteen percent of the total amount expended for salaries of the participants, but such increased appropriation shall in no case exceed eighteen and one-half percent of the total amount expended for salaries of the participants. Notwithstanding the foregoing, if the City elects to pick up participant contributions to the Firemen and Policemen Pension Fund of El Paso under Section 414(h) of the Internal Revenue Code of 1986, as amended (the "Code"), then the participant contributions picked up by the City shall be derived from a corresponding reduction in participant cash salaries and treated as a contribution by the City solely for determining tax treatment of such contributions under the Code. The picked up contributions by the City shall not be considered a contribution or required contribution by the City for any other purpose, including the limitations for the total amount expended for salaries of the participants designated in this Section 6.13-11.D. (Amended by vote of the people 11/5/91; amended by vote of the people 5/7/94)

(b) That the City Council officially finds, determines and declares the result of said City Charter Amendment election to be that the following City Charter Amendments have received a favorable majority vote in all respects and have carried: Nos: 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11, and that the following City Charter Amendment did not receive a majority vote and therefore did not carry: No. 1.

3. That on file in the City Clerk's Office and made a part hereof by reference are copies of the mechanical precinct tabulations of the votes cast at the 2001 City Charter Amendment Election showing the number of votes cast in each precinct.

4. That this Resolution was read once by the City Council and was deemed by said City Council that upon passage of the Resolution it shall take effect immediately.

This Resolution shall be spread upon the minutes of the City Council, and the City Clerk shall record the amendments so adopted in the separate book kept in her office for such purpose. The Mayor shall certify the adoption of said amendments to the Secretary of State in accordance with Section 9.008 of the Texas Local Government Code.

The City Clerk read the Resolution into the record. Representative Sumrall stated, in reference to Amendment No. 1, an item will be placed on next weeks' Agenda regarding a 5% raise for Council Members.

Mr. Chester Jordan, citizen, thanked Ms. Sumrall for her statement. He added if our City is to progress he supports paying our Representatives accordingly. He made other comments regarding the requirements and commensurate pay of the Council Members. He stated he is a member of the BZAC.

Mr. Ruben Ramirez, citizen, questioned the Mayor regarding who paid the \$60,000.00 for the election held January 20, 2001. Mayor Carlos M. Ramirez responded the taxpayer.

Representative Medina commented regarding Amendment 1. He added he believes Council Members take on this responsibility because of their duty to serve the public.

Mayor Ramirez quoted President Abraham Lincoln: "God must love the common people because he created so many of them". He made comments regarding individuals who live paycheck to paycheck. He thanked the voters of El Paso for approving 10 of the 11 Amendments. He stated that since the voters did not approve Amendment No. 1 they have insured that instead of a democratic City government what we have here is a plutocracy, which means government by the rich. He commented on this further.

Representative Cook commented regarding "rich" Council Members.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....  
**ORDINANCE 14758**

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF THE SOUTHEASTERLY 110 FEET OF BLOCK 206, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS (401 BOSTON AVENUE) FROM A-2/SP (APARTMENT/SPECIAL PERMIT) TO A-O (APARTMENT-OFFICE). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Sumrall opened the discussion. She named the members of the Rim Road Association and thanked them for their cooperation.

Ms. Pat Adauto, Interim Planning Director, clarified questions raised at last week's City Council meeting and further clarified the DCC and City Plan Commission's recommendations to approve A/O with a restriction prohibiting the use of the property for medical offices. She briefly explained the rationale behind the recommendation. She stated for the record the number of letters and phone calls in opposition and in favor of the Ordinance. Ms. Adauto read zoning news from The American Planning Association magazine regarding general office uses, medical office uses, and the square footage. She added this information was used as the basis for the recommendation on this zoning case, as well as some of the recommendations seen in the neighborhood plan.

Representative Sumrall responded to Ms. Adauto's comments. She made a Motion to approve the A/O with the exemption of medical offices.

Representative Ortega asked questions of Ms. Adauto regarding the information she read from. He asked if the information had taken into account the different specialties regarding the medical offices. He asked what type of specialty would this office be utilized as. He asked how many small apartments (one bedroom) might be accommodated in this building.

Ms. Adauto responded no. She reiterated the data appeared in The Zoning News of the American Planning Association, December 2000 issue. She did not have the information regarding the one bedroom apartments; however, she stated there are existing units on the site. She stated the building is 9,630 square feet, two story masonry building.

Representative Hernandez made comments regarding doctor specialties and the number of patient visits. Attorney Frank Ainsa, applicant representative, stated Dr. Moldes' specialty is gastroenterology. He gave a comprehensive explanation of why the medical use restriction would not be appropriate. He handed out information to supplement his discussion. He gave a short history regarding property located across the street. He discussed the issue of traffic in detail. He stated the property on the Agenda is located out of the Rim Road study area. He stated he has met with the Kern Place Association and has proposed restricted covenants which will be added to the Deed Records, only if Council Members would rezone this property without the medical use restriction.

Representative Sariñana asked if the Rim Road Association is recommending denial of this proposal. Representative Sariñana discussed a case brought to Council Members in previous years.

Mr. Ainsa responded to Representative Sariñana. He clarified the boundaries of the Rim Road and the Kern Place Associations. Mr. Ainsa commented on the traffic study done by Mr. Tony Mixer. Mr. Mixer based his report on the standard data which Traffic Engineers use in the City, for example, what type of parking and what kind of trips per day/trips per afternoon would be generated by medical office facilities. He stated he is here to ask Council Members to rezone the property A/O without any medical use restriction. He added if Council Members approve this rezone the covenants will be placed on record.

Representative Sumrall commented on the landscaping requirements and signage. She responded to comments made by Mr. Ainsa and stated her concerns regarding the medical office recommendation.

Representative Cook questioned the traffic study done by Mr. Tony Mixer. He referred to the article read by Ms. Adauto. He asked Ms. Adauto what her recommendation would be. Mr. Ted Marquez, Traffic Engineering Division Manager, stated the Department has looked at the projections done by Mr. Mixer and agree with the methodology used and results determined. He made additional comments regarding traffic impact and type of office use.

Ms. Adatao clarified her remarks made previously regarding the general data provided by the American Planning Association. She referred Council Members to the information she had provided them for further clarification. She stated her recommendation is apartment office and imposing certain conditions. Representative Cook responded to comments made by Attorney Ainsa.

Representative Ortega asked how long the property had been vacant and were any adjacent properties "frat houses". He also asked approximately how many apartments might this property support, thinking the building might be utilized as apartments for UTEP students.

Mr. Ainsa responded the property has been vacant for more than two years. He stated at the current time there are no adjacent "frat houses" on this block.

Mr. Terry Williams, Deputy Director of Building Services, stated between 8 to 10 apartments, depending on the number of bedrooms, could be accommodated on this property, which would require 16 to 24 parking spaces. The apartments would be 1,000 to 1,200 square feet. He mentioned the parking for fraternity and medical offices are the same, 1 parking space per 200 square feet.

Mr. Ainsa responded 16 apartments could be accommodated in this building. He referred to the traffic study done by Mr. Mixer and read a letter written by the Kern Place Association. He added the domino effect would be an issue left up to Council.

Mr. Bob Brannon, with the Rim Road Association, read statements from the Kern Place Association letter. He addressed the traffic study issue, office hours held by Dr. Moldes and parking. He asked Council members to help the Association and restrict a doctor's office from moving deep into this neighborhood

Motion made by Representative Sumrall, seconded by Representative Rodriguez that the Ordinance be adopted as A-O (Apartment-Office) with the restriction prohibiting medical offices. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Medina and Cook

NAYS: Council Members Rodriguez, Ortega, Escobar, Sariñana and Hernandez

Absent: None

The vote was 3 in favor, 5 in opposition. The Motion did not pass.

Motion duly made by Representative Sariñana, seconded by Representative Hernandez that the Ordinance be adopted without restrictions. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Ortega, Escobar, Sariñana and Hernandez

NAYS: Council Members Sumrall, Medina and Cook

Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....



\*Motion made, seconded and unanimously carried to postpone two weeks an Ordinance changing the zoning of all of Lot 292, Block 18, Coronado Hills Section Two, City of El Paso, El Paso County, Texas (6100 Fiesta Drive) from R-3 (Residential) to S-D (Special Development), and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the City of El Paso Municipal Code. Applicant / Representative: Nydia Martin, 4012 Esperanza Circle, El Paso, Texas 79922. ZC-00072.

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
**ORDINANCE 14761**

The City Clerk read an Ordinance entitled: **AN ORDINANCE GRANTING A SPECIAL PRIVILEGE TO THE SOUTHWESTERN INTERNATIONAL LIVESTOCK SHOW & RODEO, INC. TO TEMPORARILY CLOSE A PORTION OF BOONE STREET BETWEEN PAISANO DRIVE AND DELTA DRIVE FROM FEBRUARY 1, 2001 THROUGH FEBRUARY 11, 2001**

Representative Sumrall questioned the number of businesses which would be impacted by the closure of the street. She asked that there be people available to move the barricades so the people wishing to utilize the businesses would be able to do so.

Ms. Pat Aduato, Interim Planning Director, responded there would be no permanent structures placed on Boone Street.

Motion duly made by Representative Hernandez, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Ortega, Escobar, Sariñana and Hernandez

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-00021, FOR ALL OF LOTS 9, 10, 11, 12 AND 13, PENDALE INDUSTRIAL UNIT A REPLAT, EL PASO, EL PASO COUNTY, TEXAS (1111 PENDALE ROAD), PURSUANT TO SECTION 20.04.140 OF THE EL PASO MUNICIPAL CODE.**

WHEREAS, **Carlos Avila d/b/a Carenzo Corporation** (the "Applicant") has applied for approval of a detailed site development plan pursuant to Section 20.04.140 (Zoning) of the El Paso Municipal Code, to permit the construction and development of an equipment storage facility serving an export business; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of an equipment storage facility serving an export business on the following described property which is located in a P-I (Planned Industrial) District:

*All of Lots 9, 10, 11, 12 and 13, PENDALE INDUSTRIAL UNIT A REPLAT, El Paso, El Paso County, Texas; municipally numbered as 1111 Pendale Road.*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office.)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the P-I (Planned Industrial) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the P-I (Planned Industrial) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Sariñana, seconded by Representative Hernandez and unanimously carried to approve the above Resolution.

.....  
\*Motion made, seconded and unanimously carried to postpone four weeks the public hearing to determine if the Council Resolution of November 28, 2000 for the property located at 8601 Roberts Dr., in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the council order has not been complied with.  
.....

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to award Bid No. 2001-015 Ambulances

Award To:	Taylor Made Ambulances
	Newport, AR
Item	1
	Delete options 1, 2, 3, 4, 5, 8, 10, 12, 15, 16, 20,22, 25
Amount:	\$922,432.00
Department:	Fire
Funds available:	250101-208006-MB0001-130
Funding Source:	FY2000 Certificates of Obligation (\$658,880.00)
Funds available:	102009-208006-540009
Funding Source:	FY1999 Certificates of Obligation (\$263,552.00)
Total amount:	\$922,432.00

The Fire and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase seven (7) Ambulances.

There is one option from the vendor to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract.

A prompt payment discount of 1% is offered if payment is made within 10 days. Amount after discount \$913,207.68 (discount \$9,224.32)

Representative Ortega was not present for the vote.

.....  
Motion made by Representative Hernandez, seconded by Representative Medina and unanimously carried to award Bid No. 2001-076 Chemical Protective Suits

Award to: Dantack Corporations  
Grand Prairie, TX  
Items 1 & Options 1 & 2

Department: Fire Department  
Funds Available: 250101-208014 - \$14,141.52  
150024-208007, Project 220002 - \$19,855.66  
Funding Source: Certificate of Obligations 2000 and  
Emergency Management, Public Safety Equipment  
Total Award: \$33,997.18

Fire Department and Purchasing recommend awards as indicated as this vendor is the responsible and responsive bidder meeting specifications.

This is a one time purchase.

Low bids from Personal Safety First and Safeware, Inc. did not meet specifications of suit material and face mask.

Representative Ortega was not present for the vote.

.....  
Motion made by Representative Escobar, seconded by Representative Hernandez and unanimously carried to reject Bid No. 2000-216, 55 Foot Bucket Truck as recommended by the Purchasing, Equipment Maintenance and Parks Departments.

This requirement will be reviewed by the user department. A new solicitation, with revised specifications, will be issued at a later time.

Representative Ortega was not present for the vote.

.....  
No action was taken regarding the discussion on the proposed fuel cost increase to the City of El Paso and related matters by Representative Sumrall and Representative Sariñana.

Please refer to the discussion beginning on page 4.

Motion made by Representative Medina, seconded by Representative Hernandez and unanimously carried to accept the report to Mayor and Council by the El Paso Bond Overview Advisory Committee (BOAC).

Mr. Gus Haddad, Chairman, El Paso Bond Overview Advisory Committee, opened the presentation by introducing the members of the BOAC. He distributed a handout to Council and made a PowerPoint presentation and elaboration.

Ms. Monica D. Cunningham, Chief Administrative Officer, clarified statements made by Mr. Haddad.

Representative Sumrall asked questions about the architect hired to design the sea lion exhibit at the Zoo.

Mr. Ed Drusina, Director of Public Works, responded the design is just about complete. He made additional comments.

Mayor Ramirez clarified issues regarding the \$50 million Commercial Paper discussion. He stated this is like a line of credit used for design and/or construction.

Ms. Cunningham explained the City is undergoing a Bond rating review and asked that statements regarding financial issues not be made speculatively.

Representative Ortega asked Mr. Charlie McNabb, City Attorney, if the new City Council administration beginning later this year would affect the construction projects would they still be on target.

Mr. McNabb responded, stating the Council had adopted a Resolution which would not allow changes in the projects. Time frames may change, but projects should not.

.....  
Motion made by Representative Sariñana, seconded by Representative Escobar and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance granting Special Permit No. SU-00024, to allow for a Planned Residential Development on a portion of Tract 1-A, Section 45, Block 79, Township 1, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas (2500 Block of Zaragoza Road) pursuant to Section 20.14.040.A. (Zoning) of the El Paso Municipal Code. Zone R-5 (Residential); Applicant: Ranchos Real V, LTD / Representative: Conde, Inc., 1790 Lee Trevino, Suite 601, El Paso, TX 79936.
  
- B. An Ordinance granting Special Permit No. SU-00025, to allow for a Community Medical Clinic on a portion of Section 5, Block 79, Township 3, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas (11900 Block of Bob Mitchell Drive) pursuant to Section 20.12.040.C. (Zoning) of the El Paso Municipal Code. Zone R-3 (Residential); Applicant: Montwood Wellness Center/Representative: Mario Aguilar, 12300 Eastlake Dr., El Paso, TX 79928.

**PUBLIC HEARING WILL BE HELD ON FEBRUARY 13, 2001, FOR ITEMS A - B**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Motion made by Representative Hernandez, seconded by Representative Sariñana and unanimously carried to accept the Quarterly Report on Budget from the Chief Financial Officer.

Mr. Bill Chapman, Chief Financial Officer, made this report. Mr. David Almonte, Director of Office Management and Budget, distributed reports to Council Members.

Mayor Ramirez made remarks regarding the utility costs and workmen's compensation cases.

Mr. Chapman elaborated. Representative Rodriguez inquired as to the amount of the City's utility bills. Mr. Chapman stated he would make that information available to Council.

Representative Escobar inquired about the gas allowance given to Council Members. He asked Ms. Cunningham if it would be appropriate to have an "Amnesty Day" for the Municipal Court.

Mr. Chapman explained he believes the gas allowance is given in gallons, which would not affect the amount of gas given to Council members.

Ms. Cunningham stated now that the City maintains a full time night Court the "Amnesty Day" does not have the "kick" it had in previous years. Mr. Chapman responded to other comments by Council members.  
.....

**ADDITION TO THE AGENDA**

**RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City, accept a donation from Hoy-Fox Automotive Market and Mercedes-Benz for five (5) police duty versions of Mercedes-Benz all-terrain mountain bikes for use by the El Paso Police Department. The total value of the donation is in excess of \$10,000.00.

The bicycles were displayed before Council. Police Chief Carlos Leon stated Hoy-Fox Automotive Market and Mercedes-Benz are bringing the City's Police Department a step ahead. He also stated the bicycles were made by Mercedes-Benz. He added the City's Bike Patrol started in 1991 with five bicycles, now the Bike Patrol has a total of 19 bicycles. Further, each of the bicycles cost \$2,000.00 each.

Mr. Steve Hoy, of Hoy-Fox Automotive Market, thanked Mayor Carlos M. Ramirez and Council Members for accepting this donation. He added he is very proud of the City's Police Department. Representative Hernandez thanked Messrs. Hoy and Fox for their generous donations.

Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.  
.....

Motion made by Representative Medina, seconded by Representative Cook and carried that the City of El Paso's Legal department draft a Resolution asking the Immigration and Naturalization Service (INS) to consider zero tolerance issues on a case by case basis.

Ms. Marisela Fraire, citizen, elaborated on her reasons for coming to City Council today. Representative Escobar referred Ms. Fraire to the Catholic Diocese or Legal Assistance. Representative Hernandez recommended Congressman Reyes to assist Ms. Fraire.

Representative Medina commented on assisting Ms. Fraire in her situation. He also commented on the "zero tolerance" issue. Mayor Ramirez added Mr. Salvador Payan in Congressman Reyes' office would be the gentleman to further assist Ms. Fraire.

Mr. Albert Smith, citizen, made comments. Representative Sumrall questioned a remark made previously by Mr. Smith which implied he was an attorney. Mr. Smith clarified he was not an attorney. Representative Sumrall abstained from voting.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the El Paso Museum of Art be authorized to serve wine/beer at One Arts Festival Plaza at the exhibition opening reception of *"Roundup"* on the January 25, 2001.

.....  
Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor Carlos M. Ramirez be authorized to collaborate with the County of El Paso in its efforts to seek grants from the Texas Parks & Wildlife Department to develop Phase Two of the proposed Rio Grande River Trail and Park Development. The City will use up to \$530,000 from the Parks Bond Issue as matching funds; and

THAT the Mayor Carlos M. Ramirez be authorized to designate Charles W. Nutter, Director of Parks and Recreation Department as the City's representative in this regard.

Representative Cook inquired whether the \$530,000.00 was set up in the Park's Bond issues. Mr. Nutter explained this was part of \$1 million which was originally approved. He added there would be additional monies contributed to this issue.

Motion made by Representative Hernandez, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NOLAN RICHARDSON RECREATION CENTER  
NO. 510074, SUB-OBJECT 201011**

- |    |               |  |
|----|---------------|--|
| 1. | CONTRACTOR:   | Leaha Richmond, Daycare Instructor, Step 5 |
|    | DATES:        | February 1, 2001 thru August 31, 2001      |
|    | RATES PER HR: | \$6.90                                     |
|    | CONTRACT NO:  | 2000/2001-157                              |

2. CONTRACTOR: Earle J. Meyers, Daycare Assistant, Step 5  
DATES: February 1, 2001 thru August 31, 2001  
RATES PER HR: \$6.90  
CONTRACT NO: 2000/2001-158

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000/2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**GALATZAN RECREATION CENTER  
NO. 510131, SUB-OBJECT 202214**

1. CONTRACTOR: Vanessa Campos, Ballet Instructor  
DATES: January 23, 2001 thru August 31, 2001  
RATE PER CL: \$8.80  
MAXIMUM AMT: \$1,848.00  
CONTRACT: 2000/2001-123
2. CONTRACTOR: Barbara Garza, Aerobics Instructor  
DATES: March 2, 2001 thru August 31, 2001  
RATE PER CL: \$8.80  
MAXIMUM AMT: \$924.00  
CONTRACT: 2000/2001-124
3. CONTRACTOR: Rita Hopper, Middle Eastern Dance Instructor  
DATES: January 23, 2001 thru August 31, 2001  
RATE PER CL: \$10.30  
MAXIMUM AMT: \$721.00  
CONTRACT: 2000/2001-125

**NORTHEAST RECREATION CENTER  
NO. 510107, SUB-OBJECT 202214**

4. CONTRACTOR: Nicole Bryant, Gymnastics Instructor  
DATES: February 1, 2001 thru April 26, 2001  
RATE PER CL: \$20.00  
MAXIMUM AMT: \$500.00  
CONTRACT: 2000/2001-126

**SAN JUAN RECREATION CENTER  
NO. 510123, SUB-OBJECT 202214**

5. CONTRACTOR: Patricia Chavez, Aerobics Instructor  
DATES: January 30, 2001 thru August 25, 2001  
RATE PER CL: \$9.55  
MAXIMUM AMT: \$324.70  
CONTRACT: 2000/2001-127



6. CONTRACTOR: Patricia Chavez, Aerobics Instructor  
 DATES: March 1, 2001 thru August 30, 2001  
 RATE PER CL: \$9.55  
 MAXIMUM AMT: \$983.65  
 CONTRACT: 2000/2001-128
7. CONTRACTOR: Jesus M. Rivas, Guitar Instructor  
 DATES: January 30, 2001 thru August 29, 2001  
 RATE PER CL: \$8.80  
 MAXIMUM AMT: \$871.20  
 CONTRACT: 2000/2001-129
8. CONTRACTOR: Arnoldo Varela, Karate Instructor  
 DATES: March 1, 2001 thru August 30, 2001  
 RATE PER CL: \$11.80  
 MAXIMUM AMT: \$1,250.80  
 CONTRACT: 2000/2001-130

**SUN COUNTRY**

**NO. 150056,7126CD, 0005, GRANT DETAIL, SUB-OBJECT 202214**

9. CONTRACTOR: Ozzie Ponce, Fine Arts Instructor  
 DATES: January 30, 2001 thru April 30, 2001  
 RATE PER CL: \$20.00  
 MAXIMUM AMT: \$1,000.00  
 CONTRACT: 2000/2001-131

**WASHINGTON PARK SENIOR CENTER**

**NO. 510206, SUB-OBJECT 202214**

10. CONTRACTOR: Norma Hernandez, Ceramics, Instructor  
 DATES: March 5, 2001, thru August 27, 2001  
 RATE PER CL: \$41.40  
 MAXIMUM AMT: \$1,076.40  
 CONTRACT: 2000/2001-132

.....  
**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2000-2001 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**AQUATICS**

**NO. 010281, SUB-OBJECT 201011**

1. CONTRACTOR: Juan Manuel Aragon, Lifeguard I, Step 1  
 DATES: January 16, 2001 thru September 30, 2001  
 RATES PER HR: \$6.00

\*Motion made, seconded and unanimously carried to appoint Ruth Mojica-Hammer to the Mayor's Advisory Board on Aging by Representative Ortega.

\*Motion made, seconded and unanimously carried to appoint Burgo Gill to the Building Board of Appeals (Regular Member) by Representative Ortega.

\*Motion made, seconded and unanimously carried to appoint Robert L. Blumenfeld to the Airport Board by Representative Medina.

Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

Discussion and action on the following:

- A. Alicia Meraz, et al; 99-C-291A (551.071)
- B. Robert Acosta and Moises Garcia, 00-C-181 (551.071)
- C. BKM Architects, #98-COL-003 (551.071)
- D. Mission Linen, 01-C-016 (551.071)

Motion made, seconded and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

(Mayor Ramirez was not present when the following motions were acted upon.)

Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to postpone one week Alicia Meraz, et al; 99-C-291A.

Motion made by Representative Ortega, seconded by Representative Sumrall and unanimously carried to postpone one week Robert Acosta and Moises Garcia, 00-C-181.

Motion made by Representative Ortega, seconded by Representative Cook and carried that the City of El Paso reject the settlement demand from BKM Architects and that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the claim entitled **BKM Architects and Authorize the City Attorney to mediate the claim; Our File No. 98-COL-003**, as recommended by the City Attorney.

Representative Sariñana voted Nay.

Motion made, seconded and carried that claim entitled **MISSION LINEN: Our File No. 01-C-016** be **SETTLED** as recommended by the City Attorney.

Motion made by Representative Escobar, seconded by Representative Hernandez and unanimously carried to adjourn this meeting at 1:55 p.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

*Carole Hunter*

Carole Hunter, City Clerk



Charles McNabb, City Attorney

